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10/760,020

01/17/2004

David W. Baarman

3086/1459 (BH2088.1.P1)

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06/21/2004

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EXAMINER

MOHANDESI, IRAJ A

ART UNIT

PAPER NUMBER

2834

DATE MAILED: 06/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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|------------------------------|--------------------------------------|---------------------------------------|--|
| Office Action Summary | Applicati n No. 10/760,020 | Applicant(s) BAARMAN ET AL. | |
| | Examiner Iraj A Mohandesi | Art Unit 2834 | |

-- The MAILING DATE of this communication appears on the cover sheet with the corresp nd nce address --

Peri d f r Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disp sition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-3, 5, 6 and 8-11 is/are rejected.
- 7) ☒ Claim(s) 4, 5 and 7 is/are objected to.
- 8) ☒ Claim(s) 12-45 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Pri rity under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

El ction/R strictions

1. Restriction to one of the following inventions is required under 35 U.S.C.

121:

- I. Claims 1-11, drawn to a liquid filter with hydro generator , classified in class 290, subclass 54.
- II. Claims 12-21, drawn to liquid treatment with a first, second and third compartment having nuzzle , classified in class 290, subclass 43.
- III. Claim22-32, drawn to a first liquid flow path and second liquid flow path, and a power generation module with first passage and second passage, classified in class 310, subclass 52.
- IV. Claim33-37, drawn to a manifold formed to include a second passageway, classified in class 310, subclass 54.
- V. Claims 38-45, drawn to a method of monitoring the electric power to determine the revolution per minute, classified in class 29, subclass 659.

The inventions are distinct, each from the other because of the following reasons:

2. Inventions I-V and are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I-V has separate utility. See MPEP § 806.05(d).

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3. Inventions I and II, III,IV and V are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different modes of operation, different functions, or different effects (MPEP § 806.04, MPEP § 808.01).

4. Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group II,III,IV,V restriction for examination purposes as indicated is proper.

5. During a telephone conversation with Applicant representative Mr. Sanders N. Hillis Registration No. 45,712 on June 10, 2004 a provisional election was made with traverse to prosecute the invention of I, claims 1-11.

Affirmation of this election must be made by applicant in replying to this Office action. Claims 12-45 withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-3 rejected under 35 U.S.C. 103(a) as being unpatentable over Ehrlich UAS patent 4,255,937 in view of L r n r US patent 4,731,545.

Ehrlich'937 discloses a water cooler comprising: a housing (32,24,22, and the back wall ,Fig 1,2,3) configured to be mounted at the end of a faucet (48,Fig.1), a filter (28) disposed within the housing to remove particulates from a flow of liquid through the housing an ultraviolet light source (34) disposed within the housing to decontaminate the flow of liquid.

Ehrlich'937 teaches all limitation of claim 1 except for a hydro-generator disposed within the housing and configured to be rotated by the flow of liquid to generate power for the ultraviolet light source.

Lerner'545 discloses a portable power conversion unit having a hydro-generator (see abstract) disposed within the housing and configured to be rotated by the flow of liquid to generate power for the purpose of energizing any electrical device.

Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine **Ehrlich'937** with a hydro-generator configured to be rotated by the flow of liquid to generate power as taught by **Lerner'545** for the purpose of energizing any electrical device such as a ultraviolet light source.

With regard to claim 6 **Lerner'545** discloses a portable power conversion unit having a nuzzle (44, see Fig.1) for the purpose of producing an extruded stream. Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine **Ehrlich'937** with a hydro-generator a nuzzle as taught by **Lerner'545** for the purpose of producing an extruded stream.

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8. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over combination **Ehrlich'937** , **Lerner'545** and further in view of **Heide US patent RE 36,168**.

Regarding claim 8 **Heide** discloses a brush less electrical machine having a rotor and a stator, the rotor is a permanent magnet that is coupled with the generator housing and the stator is non-rotatably mounted on the centering shaft (Fig.1) to eliminate electronic or mechanical of the commutators

Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine **Ehrlich'937** with a rotor and a stator, the rotor is a permanent magnet that is coupled with the generator housing and the stator is non-rotatably mounted on the centering shaft for the purpose mentioned above.

9. Claims 9,10 are rejected under 35 U.S.C. 103(a) as being unpatentable over combination **Ehrlich'937** , **Lerner'545** and further in view of **Nakagawa US Patent 4,694,224**.

Nakagawa'224 discloses lighting apparatus for electric discharge lamp having a switch (84) and a ballast (11,83), for the purpose of supplying power from the power source to the light.

Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine **Ehrlich'937** **Lerner'545** with a switch (84) and a ballast (11,83),as taught by **Nakagawa'224** for the purpose of supplying power from the power source to the light.

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Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over **combination Ehrlich'937 , Lerner'545** and further in view of **Sarkkinen US patent 4,737,164**.

Sarkkinen'164 discloses a presses for recovering contamination having a filter with activated carbon (3, Fig. 1) as taught by for the purpose of purification.

Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine **Ehrlich'937 Lerner'545** with a filter with activated carbon as taught by **Sarkkinen'164** for the purpose of purification.

Allowable Subject Matter

10. Claims 4,5,7 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Iraj A Mohandesi whose telephone number is 571-272-2028. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on 571-272-2044. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

IM June 10, 2004



Nicholas Ponomarenko
Primary Examiner
Technology Center 2800